

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

WILLIAM J. WAGNER,

Plaintiff,

-vs-

DECLARATION

Docket No. 15-cv-633-FPG

CHIARI & ILECKI, LLP,

Defendant.

KRISTIAN BROWN declares under penalty of perjury, pursuant to 28 U.S.C. § 1746:

1. I am a legal assistant employed by the defendant, CHIARI & ILECKI, LLP, in this matter. As such, I am familiar with the facts and circumstances involved in this litigation.

2. I submit this declaration in opposition to the plaintiff's motion for summary judgment and in support of Chiari & Ilecki's cross-motion for summary judgment.

3. On March 19, 2015, I received a telephone call from a man who identified himself as William Wagner and claimed that he had been receiving letters from our office, which were addressed to a debtor named William J. Wagner, Jr., at 5419 Roberts Road, Hamburg, New York 14075.

4. The caller claimed that he was not the debtor, and he told me what he said was the month and year that he was born.

5. I told the caller that he could send us a copy of his driver's license and Social Security card so that we could verify his identity.

6. He never provided that information, however, or any other proof sufficient to verify his identity.

7. I contemporaneously entered a summary of our conversation in our firm's events log for the debtor's file, a redacted copy of which is attached as *Exhibit A*.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 1st, 2017



Kristian Brown